TRAVANCORE LEGISLATIVE COUNCIL.

FOURTH COUNCIL.

FIRST SESSION OF 1107.

(*OFFICIAL REPORT.*)

Thursday, the 21st April, 1932/9th Medam, 1107.

The Council met in the Victoria Jubilee Town Hall at eleven-thirty of the Clock, the President presiding.

The following members were absent :—

1. Mr. O. M. Thomas.
2. Mr. L. A. Bishop.
3. Mr. Jatavedan Namputiripad.

SWEARING IN OF NEW MEMBERS.

The President first subscribed his oath.

The following persons were then sworn in :—

1. Mr. P. Visvanatha Aiyar.
2. Mr. A. Kumara Pillai.
3. Mr. L. A. Lampard.
4. Mr. N. K. Padmanabha Pillai.
5. Rao Bahadur A. Venkatarama Aiyar.
6. Mr. M. Keralavarma Tampan (*Co-opted*).

MR. K. KUNJUKRISHNA PILLAI (*Quilon*) : Sir, I rise to a point of order.

This is not a properly constituted Council ; because we have not conformed to certain requirements of the statute. According to Section 2 (4) of the Legislative Council Regulation, the total number of members shall be fifty, the number of elected members being twenty-eight, and nominated members twenty-two, seven of whom being non-officials. According to this mandatory provision, I think the Council should have fifty members, whereas we have got only forty-nine members at present; and among the elected members, instead of twenty-eight, we have only twenty-seven since the constituency of Chirayinkil is not represented in the Council. As such, I wish to have a ruling, Sir, as to whether this Council stands properly constituted.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) ; Sir, Mr. Kunjukrishna Pillai did not refer to any provision of the Legislative Council Regulation or Rules to the effect that, if there is vacancy in the Council, the business of the House shall not be proceeded with.

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MR. K. KUNJUKRISHNA PILLAI (*Quilon*): May I know from the Law Member whether there is any provision that the Council can be conducted with forty-nine members, as against this strict provision of the Regulation that there *shall* be fifty members of whom twenty-eight shall be elected?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Where is the provision that the Council cannot function? There is no provision that *all* the fifty members should be alive when the House is sitting.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): Are there fifty members, alive now?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Whether alive or not, the *seats* are open, any member may contest the election and come forward. I may also remind the member that twenty members, or so, form the quorum. So, the House can go on with the business even if there are only twenty members present.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*): There is no question of quorum at all. It is a question of proper constitution of the Council.

PRESIDENT: I rule that the Council is properly constituted.

QUESTIONS AND ANSWERS.

Cases filed in the Second Class Magistrate's Court, Kottar, during 1104-1106.

112. MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*): Will the Government be pleased to state:

(*a*) how many cases were transferred from the Second Class Magistrate's Court at Kottar from 1104 to 1106;

(*b*) how many cases were filed in this Court between 1104 and 1106;

(*c*) how many cases were discharged before collecting evidence for the defence in 1104, 1105 and 1106; and

(*d*) how many cases were discharged soon after the examination of the complainants?

MR. K. GEORGE (*Chief Secretary to Government*): (*a*) 12.

(*b*) 2,833.

(*c*) 1104—83 cases.
1105—52 cases.
1106—54 cases.

(*d*) 1104 — 17 cases.
1105—29 cases.
1106— 8 cases.

MR. K. NARAYANAPERUMAL NADAR (*Agastisvaram*): In view of the answers to parts (*a*) and (*b*), may I know from the member whether it is not a proof that the litigant public is losing confidence in the present Magistrate?

MR. K. GEORGE (*Chief Secretary to Government*): That is no proof of it. There are only twelve transfers out of 2,833 cases.

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